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9 UNITED STATES DISTRICT COURT  
10 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

11 SCHAWN JAMES CRUZE,

12 Plaintiff,

13 v.

14 BERNIE WARNER,

15 Defendant.  
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CASE NO. C13-5220 BHS-JRC

REPORT AND RECOMMENDATION

NOTED FOR:  
DECEMBER 27, 2013

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18 The District Court has referred this 42 U.S.C. § 1983 civil rights action to United States  
19 Magistrate Judge J. Richard Creatura. The Court's authority for the referral is 28 U.S.C. §  
20 636(b)(1)(A) and (B), and local Magistrate Judge Rules MJR3 and MJR4.

21 The parties filed a stipulated motion to dismiss defendants Vail and Glebe (ECF No. 67).  
22 Now that the thirty-day stay in this case is over (ECF No. 85) the Court recommends granting the  
23 stipulation and entering an order dismissing these two defendants. The Court notes this Report  
24

1 and Recommendation for consideration this Friday, December 27, 2013, because this is a  
2 stipulated motion.

3 Dated this 24<sup>th</sup> day of December, 2013.

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5 J. Richard Creatura  
6 United States Magistrate Judge  
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